

SEC. 2836. REPORT ON CAPACITY OF CHILD DEVELOPMENT CENTERS OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a written report providing an update on the capacity of child development centers of the Department of Defense.

(b) ELEMENTS.—The report submitted under subsection (a) shall—

(1) provide data on the capacity of child development centers through the Department, including infrastructure, staffing, waitlists, and resources, set forth in the aggregate and by installation and Armed Force;

(2) highlight, by installation, whether demand by members of the Armed Forces for child care is or is not being met by existing capacity at such centers; and

(3) determine whether plans and adequate funding authority exist to remedy any identified shortfall in child care capacity for the Department of Defense.

SA 4080. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 596. AUTHORITY OF STATES TO USE NATIONAL GUARD MEMBERS PERFORMING ACTIVE GUARD AND RESERVE DUTY DURING STATE-DIRECTED RESPONSES TO DOMESTIC INCIDENTS.

Section 328(b) of title 32, United States Code, is amended—

(1) by inserting “(1)” before “A member”; and

(2) by adding at the end the following new paragraph:

“(2) Under regulations prescribed by the Chief of the National Guard Bureau, the adjutant general of the jurisdiction concerned may authorize a member of the National Guard performing duty under subsection (a) to perform additional duties in response to a State-declared emergency or disaster provided that the adjutant general determines that members performing such additional duties will derive a benefit that satisfies or complements training requirements for the wartime mission or other training objectives of the members’ unit.”.

SA 4081. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, insert the following:

SEC. 10. . . . ROLE OF THE COMMISSIONER AND INTERNATIONAL AGREEMENTS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) COMMISSIONER.—The term “Commissioner” means the Commissioner of the United States Section of the International Boundary and Water Commission.

(3) NEW RIVER.—The term “New River” means the river that starts in Mexicali, Mexico, flows north into the United States through Calexico, passes through the Imperial Valley, and drains into the Salton Sea.

(4) SECRETARY.—The term “Secretary” means the Secretary of State.

(5) TIJUANA RIVER.—The term “Tijuana River” means the river that rises in the Sierra de Juarez in Mexico, flows through the City of Tijuana and then north into the United States, passes through the Tijuana River estuary, and drains into the Pacific Ocean.

(b) WASTEWATER AND STORMWATER AUTHORITY.—The Commissioner may study, design, construct, operate, and maintain projects to manage, improve, and protect the quality of wastewater, stormwater runoff, and other untreated flows in the Tijuana River watershed and the New River watershed.

(c) TIJUANA AND NEW RIVER PROJECTS WITHIN THE UNITED STATES.—The Secretary, acting through the Commissioner, shall—

(1) construct, operate, and maintain projects that—

(A) are on a priority list developed by the Environmental Protection Agency for projects in the Tijuana River watershed or New River watershed;

(B) are within the United States; and

(C) improve the water quality of the Tijuana River watershed or the New River watershed, as applicable; and

(2) use available funds, including funds received from the Administrator, to construct, operate, and maintain the projects described in paragraph (1).

(d) AGREEMENTS WITH MEXICO.—The Secretary, acting through the Commissioner, may execute an agreement with the appropriate official or officials of the Government of Mexico for—

(1) the joint study and design of stormwater control and water quality projects; and

(2) on approval of the necessary plans and specifications of the projects described in paragraph (1), the construction, operation, and maintenance of those projects by the United States and Mexico, in accordance with the treaty relating to the utilization of the waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, and supplementary protocol, signed at Washington February 3, 1944 (59 Stat. 1219), between the United States and Mexico.

(e) SAVINGS PROVISION.—Nothing in this section limits the authority of the International Boundary and Water Commission under any other provision of law.

SA 4082. Mrs. FEINSTEIN (for herself, Ms. ERNST, Mr. CORNYN, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for

other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1216. STATUS OF WOMEN AND GIRLS IN AFGHANISTAN.

(a) FINDINGS.—Congress finds the following:

(1) Since May 2021, the escalation of violent conflict in Afghanistan has forcibly displaced an estimated 655,000 civilians, and 80 percent of those forced to flee are women and children.

(2) Since regaining control of Afghanistan in August 2021, the Taliban have taken actions reminiscent of their brutal rule in the late 1990s. They have cracked down on protesters, reportedly detained and beaten journalists, and reestablished their Ministry for the Promotion of Virtue and Prevention of Vice, which under previous Taliban rule enforced prohibitions on behavior deemed un-Islamic. The Taliban’s acting higher education minister said women will be permitted to study at universities in gender-segregated classrooms while wearing Islamic attire. The new Taliban government is being filled with hard-liners from the former Taliban regime. The Taliban are imposing harsh rule despite pledges to respect the rights of women and minority communities and provide amnesty for people who supported United States efforts in Afghanistan.

(3) Until the Taliban assumed control of the country in August 2021, the women and girls of Afghanistan had achieved much since 2001, even as insecurity, poverty, underdevelopment, and patriarchal norms continued to limit their rights and opportunities in much of Afghanistan.

(4) Through strong support from the United States and the international community—

(A) female enrollment in public schools in Afghanistan continued to increase through 2015 with an estimated high of 50 percent of school age girls attending; and

(B) by 2019—

(i) women held political leadership positions, and women served as ambassadors; and

(ii) women served as professors, judges, prosecutors, defense attorneys, police, military members, health professionals, journalists, humanitarian and developmental aid workers, and entrepreneurs.

(5) Women’s and girls’ rights and empowerment continue to serve the interests of Afghanistan and the United States because women are sources of peace and economic progress in Afghanistan.

(6) With the return of Taliban control, the United States has little ability to preserve the rights of women and girls in Afghanistan, and those women and girls may again face the intimidation and marginalization they faced under the last Taliban regime.

(7) Women and girls in Afghanistan are again facing gender-based violence, including—

(A) forced marriage;

(B) intimate partner and domestic violence;

(C) sexual harassment;

(D) sexual violence, including rape;

(E) gender-based denial of resources; and

(F) emotional and psychological violence.

(8) Gender-based violence has always been a significant problem in Afghanistan and is expected to become more widespread with the Taliban in control. In 2020, even before the Taliban assumed control of the country, Human Rights Watch projected that 87 percent of Afghan women and girls will experience at least one form of gender-based violence in their lifetime, with 62 percent experiencing multiple incidents of such violence.

(9) Prior to the Taliban takeover in August 2021, approximately 7,000,000 people in Afghanistan lacked or had limited access to essential health services as a result of inadequate public health coverage, weak health systems, and conflict-related interruptions in care. Women and girls faced additional challenges, as their access to life-saving services (for example, emergency obstetric services) was limited due to a shortage of female medical staff, cultural barriers, stigma and fears of reprisals following sexual violence, or other barriers to mobility, including security fears.

(10) Only approximately 50 percent of pregnant women and girls in Afghanistan deliver their children in a health facility with a professional attendant, which increases the risk of complications in childbirth and preventable maternal mortality. Food insecurity in Afghanistan is also posing a variety of threats to women and girls as malnutrition weakens their immune systems, making them more susceptible to infections, complications during pregnancy, and risks during childbirth.

(11) Adolescent girls are particularly at risk due to the lack of safe and accessible reproductive health services.

(12) With the combined impacts of ongoing conflict and COVID-19, Afghan households increasingly resort to child marriage, forced marriage, and child labor to address food insecurity and other effects of extreme poverty.

(13) In Afghanistan, the high prevalence of anemia among adolescent girls reduces their ability to survive childbirth, especially when coupled with high rates of child marriage and forced marriage and barriers to accessing safe health services and information.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) since 2001, women's rights organizations and girl-led groups and networks have been important engines of social, economic, and political development in Afghanistan;

(2) any future political order in Afghanistan should secure the political, economic, and social gains made by Afghan women and work to increase the equal treatment of women and girls and improve the safe access for women and girls to essential services and information through laws and policies pertaining to public and private life;

(3) respecting the human rights of all people is essential to securing lasting peace and sustainable development in Afghanistan;

(4) in cooperation with international partners, the United States must endeavor to preserve the hard-won gains made in Afghanistan during the past two decades, particularly as related to the political and economic role, social rights, and protection of women and girls in society;

(5) the continuing humanitarian assistance to the Afghan people is critical to support women and girls, for their protection, continued education, and well-being;

(6) immediate and ongoing humanitarian needs in Afghanistan can only be met by a humanitarian response that includes formal agreements between local nongovernmental organizations and international partners that promotes the safe access and participation of female staff at all levels and across functional roles among all humanitarian actors; and

(7) a lack of aid and essential services would result in a humanitarian crisis and serve to reinforce gender inequalities and power imbalances in Afghanistan.

(c) POLICY OF THE UNITED STATES REGARDING THE RIGHTS OF WOMEN AND GIRLS OF AFGHANISTAN.—

(1) IN GENERAL.—It is the policy of the United States—

(A) to continue to support the rights of women and girls in Afghanistan following the withdrawal of the United States Armed Forces from Afghanistan, including through mechanisms to hold all parties publicly accountable for violations of international humanitarian law and human rights violations against women and girls;

(B) to strongly oppose any weakening of the rights of women and girls in Afghanistan;

(C) to instruct representatives of the United States Government to use the voice, foreign assistance, and influence of the United States directly with the Taliban and at the United Nations, including with United Nations agencies, through participation in United Nations bodies, and with representatives of other United Nations Member States, to promote, respect, and uphold the human rights of the women and girls of Afghanistan, including the right to safely work;

(D) to continue providing aid and assistance necessary to preserve the rights of women and girls in Afghanistan so that they may continue to pursue educational and professional opportunities and be equal members of Afghan society;

(E) to identify individuals who violate the basic rights of women and girls in Afghanistan, as those rights are defined by international human right standards, such as by committing murder, lynching, and grievous domestic violence against women, and to press for bringing those individuals to justice;

(F) to systematically consult with Afghan women and girls on their needs and priorities in the development, implementation, and monitoring of humanitarian action, including women and girls who are part of the Afghan diaspora community; and

(G) to ensure all humanitarian action is informed by—

(i) a gender and power analysis conducted by the Department of State that identifies forms of inequality and oppression; and

(ii) the collection, analysis, and use of data disaggregated by sex and age.

(2) DEFINITION OF AFGHAN SOCIETY.—In this subsection, the term “Afghan society” means the range of formal and informal organizations in Afghanistan, including Afghan local nongovernmental organizations as well as international nongovernmental organizations, that reflect community interests and deliver some essential services.

(d) HUMANITARIAN AID POSITIONS FOR WOMEN IN AFGHANISTAN.—The Administrator of the United States Agency for International Development shall promote that Afghanistan-based humanitarian assistance-related positions that the United States Agency for International Development is seeking to fill are offered to women who are citizens of Afghanistan to the extent practicable.

(e) REPORT ON WOMEN AND GIRLS IN AFGHANISTAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter through 2024, the Secretary of State shall submit to the appropriate committees of Congress a report that includes the following:

(A) An assessment of the conditions of women's and girls' rights in Afghanistan in relation to humanitarian needs and key development outcomes following the departure of United States and partner military forces, including the access of those women and girls to primary and secondary education, jobs, health care, and equal status in society as compared to men.

(B) An assessment of the political and civic participation of women and girls in Afghanistan.

(C) An assessment of the prevalence of gender-based violence in Afghanistan.

(D) A report on United States funding obligated or expended during the period covered by the report in furtherance of gender equality and women's and girls' rights in Afghanistan, including how much funding has directly supported women's rights organizations at the local level in Afghanistan.

(2) ASSESSMENT.—

(A) INPUT.—The assessment described in paragraph (1)(A) shall include the input of—

(i) Afghan women and girls;

(ii) organizations employing and working with Afghan women and girls; and

(iii) humanitarian organizations providing assistance in Afghanistan.

(B) SAFETY AND CONFIDENTIALITY.—In carrying out the assessment described in paragraph (1)(A), the Secretary shall, to the maximum extent practicable, ensure the safety and confidentiality of personal information of each individual who provides information from within Afghanistan.

(3) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

SA 4083. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ IMPROVING THE MANAGEMENT OF DRIFTNET FISHING.

(a) SHORT TITLE.—This section may be cited as the “Driftnet Modernization and Bycatch Reduction Act”.

(b) DEFINITION.—Section 3(25) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802(25)) is amended by inserting “, or with a mesh size of 14 inches or greater,” after “more”.

(c) FINDINGS AND POLICY.—

(1) FINDINGS.—Section 206(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826(b)) is amended—

(A) in paragraph (6), by striking “and” at the end;

(B) in paragraph (7), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(8) within the exclusive economic zone, large-scale driftnet fishing that deploys nets with large mesh sizes causes significant entanglement and mortality of living marine resources, including myriad protected species, despite limitations on the lengths of such nets.”.

(2) POLICY.—Section 206(c) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1826(c)) is amended—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(4) prioritize the phase out of large-scale driftnet fishing in the exclusive economic